

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DEANNA MCBREARTY, *et al.*,

Plaintiffs,

- against -

THE VANGUARD GROUP, INC., *et al.*,

Defendants.

08 Civ. 7650 (DLC)

**PLAINTIFFS' REQUEST FOR JUDICIAL NOTICE IN OPPOSITION
TO DEFENDANTS' MOTIONS TO DISMISS**

Plaintiffs hereby request that the Court take judicial notice, pursuant to Federal Rule of Evidence 201, of the following documents relied on by Plaintiffs in their Memorandum of Law in Opposition to Defendants' Motions to Dismiss Plaintiffs' Complaint for the limited purposes requested in Plaintiffs' Memorandum. Copies of each of the documents are attached hereto. When available, Internet citations are supplied.

Document Number	Description
1.	Public Service Letter from John G. Malcolm, Deputy Assistant Attorney General, Criminal Division, United States Department of Justice, to the National Association of Broadcasters, dated June 11, 2003.
2.	K. Eichenwald, <i>At PartyGaming, Everything's Wild</i> , N.Y. Times, June 26, 2005. http://www.nytimes.com/2005/06/26/business/yourmoney/26poker.html .
3.	PartyGaming Plc Prospectus, June 2005, pages 1-32, 46-51.
4.	M. Ritel, <i>Wall St. Bets on Gambling on the Web</i> , N.Y. Times, December 25, 2005. www.nytimes.com/2005/12/25/business/25gamble.html?pagewanted=all .
5.	Caren Chesler, <i>Taking a Gamble Despite the legal risks, Wall Street can't resist online gaming</i> , Investment Dealers' Digest, June 12, 2006.

6. Stephen Evans, *Partygaming steals a march on US casinos*, BBC News, June 28, 2005. <http://news.bbc.co.uk/1/hi/business/4625987.stm>.
7. Kurt Eichenwald, *Online giant worth betting on? PartyGaming has \$8.5 billion IPO but faces scrutiny in U.S.*, International Herald Tribune, June 28, 2005 at 1R.
8. Heather Timmons & Eric Pfanner, *Online Gambling Shares Climb 11% in Debut Day*, N.Y. Times June 28, 2005.
http://www.nytimes.com/2005/06/28/technology/28gamble.html?_r=1&scp=1&sq=timmons%20pfanner%20gambling%20partygaming&st=cse.
9. Additional News Reports Regarding Law Enforcement Actions Prior to Defendants' Investments :
 - Dominic Rushe, *US arrest threat over web poker*, Sunday Times, June 26, 2005.
 - Kurt Kleiner, *The game's up for Missouri's online gamblers*, New Scientist, June 7, 1997. <http://www.newscientist.com/article/mg15420851.400-the-games-up-for-missouris-online-gamblers.html>.
 - Mike Brunker, *Appeals court upholds Net betting conviction: Online gambling pioneer suffers legal setback*, MSNBC, July 31, 2001.
<http://www.msnbc.msn.com/id/3071037/>.
 - Simon Goodley, *Sportingbet faces writ in New Jersey*, Telegraph, October 20, 2001. <http://www.telegraph.co.uk/finance/2738357/Sportingbet-faces-writ-in-New-Jersey.html>.
 - United States Department of Justice Press Release dated December 3, 2001.
<http://www.usdoj.gov/criminal/cybercrime/goldmedalPlea.htm>.
 - Peter Shinkle, *Sporting News will pay \$7.2 million over online gambling ads*, St. Louis Post-Dispatch, January 21, 2006, A6.
 - Matt Richtel, *Technology: PayPal and New York in Accord on Gambling*, N.Y. Times, August 22, 2002, C8.
<http://query.nytimes.com/gst/fullpage.html?res=9904E2D6163CF931A1575BC0A9649C8B63&scp=2&sq=Matt%20Richtel%20Technology%20PayPal%20Gambling&st=cse>.
10. Heather Timmons, *Online Gambling Industry Reels After Arrest*, N.Y. Times, July 18, 2006. <http://www.nytimes.com/2006/07/18/world/18cnd-gamble.html?scp=3&sq=carruthers%20arrest%20share%20price&st=cse>.
11. *Sportingbet shares plummet*, This Is Money, 11 September 2006.
http://www.thisismoney.co.uk/investing-and-markets/article.html?in_article_id=412538&in_page_id=3.

12. Sportingbet Plc 2006 Annual Report, excerpted pages.
http://annualreport2006.sportingbetplc.com/pages/18/Business_Review.stm.
13. Eric Pfanner, *Online-Gambling Shares Plunge on Passage of U.S. Crackdown Law*, N.Y. Times, October 2, 2006.
<http://www.nytimes.com/2006/10/03/technology/03gamble.html?scp=3&sq=peter%20dicks%20arrest%20gambling%20shares%20&st=cse>.
14. NETeller April 8, 2004 Prospectus, pages 16-17.
<http://www.neovia.com/ngroup.file/12.pdf>.
15. Deferred Prosecution Agreement with Criminal Information and Statement of Admitted Facts, *United States v. NETeller, PLC*, S2 07 Cr. 0597 (S.D.N.Y.) (PKC).
16. BWin 2006 Annual Report.
http://www.bwin.ag/media/pdf/berichte/bwin_GB06_en.pdf.
17. Vanguard Prospectuses:
 - Vanguard International Stock Index Funds, Prospectus, June 22, 2006, pages 18-19, 172-73,
<http://www.sec.gov/Archives/edgar/data/857489/000093247106000986/international485b062006.txt>.
 - Vanguard Horizon Funds, Prospectus, January 27, 2006, pages 99, 153,
<http://www.sec.gov/Archives/edgar/data/932471/000093247106000046/horizon485b012006.txt>.
18. Schedules of Mutual Fund Holdings:
 - Quarterly Schedule of Portfolio Holdings of Vanguard International Equity Index Funds for the period ending July 31, 2006, pages 12, 21,
<http://sec.gov/Archives/edgar/data/857489/000093247106001579/internationalfinal.htm>.
 - Certified Shareholder Report of Vanguard International Equity Index Funds for the period ending October 31, 2006, pages 19, 40,
<http://sec.gov/Archives/edgar/data/857489/000093247106001792/internationalequityfinal.htm>.
 - Quarterly Schedule of Portfolio Holdings of Vanguard International Equity Index Funds for the period ending January 31, 2007, pages 11, 20,
<http://sec.gov/Archives/edgar/data/857489/000093247107000632/intlegindexfinal.htm>.
 - Certified Shareholder Report of Vanguard Horizon Funds for the period ending September 30, 2005, pages 114,

<http://sec.gov/Archives/edgar/data/932471/000093247105001719/formncsr2.htm>.

- Quarterly Schedule of Portfolio Holdings of Vanguard Horizon Funds for the period ending December 31, 2005, page 22,
<http://sec.gov/Archives/edgar/data/932471/000093247106000524/formnq.htm>
- Certified Shareholder Report of Vanguard Horizon Funds for the period ending March 31, 2006, page 113,
<http://sec.gov/Archives/edgar/data/932471/000093247106000894/horizonfundsfinal.htm>.
- Quarterly Schedule of Portfolio Holdings of Vanguard Horizon Funds for the period ending June 30, 2006, pages 25-26,
<http://sec.gov/Archives/edgar/data/932471/000093247106001234/horizonfinal.htm>.
- Certified Shareholder Report of Vanguard Horizon Funds for the period ending September 30, 2006, page 118,
<http://sec.gov/Archives/edgar/data/932471/000093247106001710/horizonfinal.htm>.
- Quarterly Schedule of Portfolio Holdings of Vanguard Horizon Funds for the period ending December 31, 2006, page 26,
<http://sec.gov/Archives/edgar/data/932471/000093247107000570/horizonfundsfinal.htm>.

19. Share Prices of PartyGaming Plc.
20. Share Prices of Sportingbet Plc.
21. Share Prices of BWin AG.
22. Share Prices of NETeller Plc (now known as Neovia Financial Plc).

Dated: November 24, 2008

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